

Appl. No. 10/821,361
Amdt. Dated April 12, 2006
Reply to Office action of December 15, 2005

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 2. This sheet replaces the original sheet including Fig. 2. In Fig. 2, spring 60 and shaft 62 have been amended to show their attachment to weather shield 34.

Attachment: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. Reconsideration of the application is respectfully requested in view of the remarks and amendments provided herein.

The drawings are objected to because in Fig. 2, spring and shaft 62 are not shown as being attached to the other elements. Fig. 2 has been amended herein. Accordingly, withdrawal of this objection is requested.

Claims 1-20 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Traversal of this rejection is made for at least the following reasons. The specification has been amended to clarify that the "roller can rotate without any rotation of the pivot bracket." Claim 8 has also been amended to be consistent with this amended language in the specification.

Regarding the attachment of both shaft 62 and shaft 64 to the shield, the spring is biased by the fact that the spring's extended portion 74 is "situated between the second support rod 64 and the pivot bracket 28." The extended portion of the spring is biased against the pivot bracket when a "user pulls the lip portion 72 of the weather shield 34 towards the user." It is to be appreciated by one skilled in the art that the position of the pivot bracket 28 enables the spring to provide bias to the weather shield.

Claims 1, 4-8, 13, and 14 were rejected under 35 U.S.C. 102(b) as being anticipated by Verelst. Traversal of this rejection is made for at least the following reasons. Claim 1 has been amended herein to substantially include the limitations of claim 2, which has been cancelled. Verelst fails to disclose a disk gear coupled to a roller tube, as evidenced by the fact that claim 2 was not rejected in view of Verelst. Accordingly, because Verelst does not contain each and every element as set forth in amended claim 1, Verelst cannot not anticipate claims 1 or claims 4-8 and 13-14, which depend therefrom. Withdrawal of this rejection is requested.

Claims 1-3, 9-11, and 15-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Malott. Traversal of this rejection is made for at least the following reasons. Malott fails to disclose a weather shield or equivalent thereof, as required by independent claims 1, 15, and 20. The Examiner relies on roller 20 and/or end caps 100 as being equivalent to the claimed weather tube. Applicants respectfully disagree. The

roller 20 of Malott is a conventional roller tube around which an awning 18 is rolled. The end caps 100 of Malott are disposed at ends of the roller to close the open ends of the roller tube. One of the end caps 100 is provided with a roller lock assembly 130. None of these components can reasonably be considered as a weather shield. Instead, these components are more equivalent to the claimed roller tube assembly of claim 1, the claimed roller of claim 15, and the claimed roller of claim 20. The claimed weather is configured to protect the awning from environmental effects. Malott does not contain any structure that can be considered equivalent to the claimed weather shield. Accordingly, because Malott does not disclose each and every element as set forth in claims 1, 15, or 20, Malott cannot anticipate these claims or claims 3, 9-11, and 16-19, which depend therefrom. Withdrawal of this rejection is respectfully requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 35983.

Respectfully submitted,
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